

AMENDMENTS TO THE CLAIMS

1-4. (Cancelled)

5. (CURRENTLY AMENDED) A method for use in a sales transaction, comprising:

determining, via ~~a controller~~ an electronic retail system controller, a measure of flexibility based on a product description;

determining a sale price based on the product description; and

selecting, by the electronic retail system controller, a product to be sold for the sale price,

wherein the sale price of the selected product is a first price if the product description is a first product description and a second price if the product description is a second product description;

wherein the sale price is based on the measure of flexibility; and

wherein the step of determining the measure of flexibility comprises:

determining a number of flexibility points for each condition value in the product description; and

summing the determined flexibility points.

6. (Original) A method according to Claim 5, wherein the number of flexibility points determined for a condition value is determined based on retailer data.

7-28. (Cancelled)

29. (CURRENTLY AMENDED) Computer-executable process steps stored on a computer-readable medium, the process steps comprising:

a determining step to determine, by an electronic retail system controller, a sale price based on a product description; and

a selecting step to select, by the electronic retail system controller, a product to be sold for the sale price,

wherein the sale price of the selected product is a first price if the product description is a first product description and a second price if the product description is a second product description;

wherein the determining step comprises determining a measure of flexibility based on the product description and determining the sale price based on the measure of flexibility; and

wherein determining the measure of flexibility comprises determining a number of flexibility points for each condition value in the product description and summing the determined flexibility points.

30. (Cancelled)

31. (CURRENTLY AMENDED) Computer-executable process steps stored on a computer-readable medium, the process steps comprising:

a determining step to determine, by ~~a controller~~ an electronic retail system controller, a sale price based on a product description;

a receiving step to receive from a customer an agreement to purchase a product for the sale price; and

after the receiving step, a selecting step to select, by the ~~controller~~ electronic retail system controller, a particular product to be sold to the customer from among a plurality of different products conforming to the product description,

wherein the determining step comprises generating a measure of flexibility based on the product description and determining the sale price based on the generated measure of flexibility.

32. (CURRENTLY AMENDED) Computer executable process steps stored on a computer-readable medium, the process steps comprising:

a receiving step to receive a product description from a customer, the product description including condition values describing a product desired by a customer;

a determining step to determine, by ~~a controller~~ an electronic retail system controller, a sale price based on the received product description;

a transmitting step to transmit the sale price to the customer;

a receiving step to receive from the customer, prior to revealing the identity of a specific product to the customer, an agreement to purchase a product conforming to the product description for the sale price;

a selecting step to select, by the ~~controller~~ electronic retail system controller, a specific product conforming to the product description; and

a transmitting step to transmit redemption information to the customer and to reveal the identity of the specific product to the customer,

wherein the determining step comprises generating a measure of flexibility based on the received product description and determining the sale price based on the generated measure of flexibility.

33. (CURRENTLY AMENDED) Computer-executable process steps stored on a computer-readable medium, the process steps comprising:

a receiving step to receive a description of a desired air travel itinerary;

a determining step to determine, by ~~a controller~~ an electronic retail system controller, a sale price based on the description,

wherein the determining step comprises generating a measure of flexibility based on the description and determining the sale price based on the generated measure of flexibility;

a receiving step to receive an agreement from a customer to purchase an airline ticket for the sale price; and

after receiving the agreement, a selecting step to select, by the ~~controller~~ electronic retail system controller, a flight on which the airline ticket will allow the customer to travel.

34 – 38. (Cancelled)

39. (PREVIOUSLY PRESENTED) An apparatus comprising:

a processor; and

a memory in communication with the processor and storing processor-executable process steps;

wherein the processor is operative with the processor-executable process steps stored in the memory to:

- i) receive a product description from a customer, the product description including condition values describing a product desired by a customer;
- ii) determine a sale price based on the received product description, wherein determining comprises generating a measure of flexibility based on the received product description and determining the sale price based on the generated measure of flexibility;
- iii) transmit the sale price to the customer;
- iv) receive from the customer an agreement to purchase a product conforming to the product description for the sale price;
- v) select a specific product conforming to the product description; and
- vi) transmit redemption information to the customer, the redemption information identifying the specific product, wherein the customer is not guaranteed what specific product will be purchased before the agreement is received.

40. (PREVIOUSLY PRESENTED) An apparatus comprising:
- a processor; and
 - a memory in communication with the processor and storing processor-executable process steps;
- wherein the processor is operative with the processor-executable process steps stored in the memory to:
- i) receive a description of a desired air travel itinerary;
 - ii) determine a sale price based on the description,
 - wherein determining comprises generating a measure of flexibility based on the description and determining the sale price based on the generated measure of flexibility;
 - iii) a receiving step to receive an agreement from a customer to purchase an airline ticket for the sale price; and
 - iv) after receiving the agreement, a selecting step to select a flight on which the airline ticket will allow the customer to travel.

41. (Previously presented) An apparatus comprising:
means for establishing a sale price based on a product description; and
means for identifying a product to be sold for the sale price,
wherein the sale price of the selected product is a first price if the product description is a first product description and a second price if the product description is a second product description;
wherein the means for establishing the sale price includes means for determining a measure of flexibility based on the product description and determining the sale price based on the measure of flexibility; and
wherein the means for determining the measure of flexibility includes means for determining a number of flexibility points for each condition value in the product description and summing the determined flexibility points.
42. (Cancelled)
43. (PREVIOUSLY PRESENTED) An apparatus comprising:
means for establishing a sale price based on a product description,
wherein establishing comprises generating a measure of flexibility based on the product description and establishing the sale price based on the generated measure of flexibility;
means for obtaining from a customer an agreement to purchase a product for the sale price; and
means for identifying a particular product to be sold to the customer from among a plurality of different products conforming to the product description after obtaining the agreement.

44. (PREVIOUSLY PRESENTED) An apparatus comprising:
- means for obtaining a product description from a customer, the product description including condition values describing a product desired by a customer;
 - means for establishing a sale price based on the received product description,
 - wherein establishing comprises generating a measure of flexibility based on the received product description and determining the sale price based on the generated measure of flexibility;
 - means for delivering the sale price to the customer;
 - means for obtaining from the customer, prior to revealing the identity of a specific product to the customer, an agreement to purchase a product conforming to the product description for the sale price;
 - means for identifying a specific product conforming to the product description; and
 - means for delivering redemption information to the customer and to reveal the identity of the specific product to the customer

45. (PREVIOUSLY PRESENTED) An apparatus comprising:
means for obtaining a description of a desired air travel itinerary;
means for establishing a sale price based on the description,
wherein establishing comprises generating a measure of flexibility
based on the description and determining the sale price based on the
generated measure of flexibility;
means for obtaining an agreement from a customer to purchase an airline
ticket for the sale price; and
means for identifying a flight on which the airline ticket will allow the
customer to travel after obtaining the agreement.
46. (CURRENTLY AMENDED) Computer-executable process steps stored on
a computer-readable medium, the process steps comprising:
a receiving step to receive a product description from a customer, the
product description being descriptive of two or more products from a plurality of
available products;
a determining step to determine, by ~~a controller~~ an electronic retail system
controller, based on the product description, a single sales price applicable to each
of the two or more products from the plurality of available products;
a transmitting step to transmit, to the customer, an offer to buy an
undisclosed one of the two or more products for the single sale price; and
a selling step to sell the undisclosed one of the two or more products to the
customer for the single sales price and to reveal the identity of the undisclosed one
of the two or more products to the customer.

47. (CURRENTLY AMENDED) A method, comprising:

receiving a product description from a customer, the product description being descriptive of two or more products from a plurality of available products;

determining, by ~~a controller~~ an electronic retail system controller, and based on the product description, a single sales price applicable to each of the two or more products from the plurality of available products;

transmitting, to the customer, an offer to buy an undisclosed one of the two or more products for the single sale price; and

selling the undisclosed one of the two or more products to the customer for the single sales price and to reveal the identity of the undisclosed one of the two or more products to the customer.

48. (Previously presented) An apparatus, comprising:

means for receiving a product description from a customer, the product description being descriptive of two or more products from a plurality of available products;

means for determining, based on the product description, a single sales price applicable to each of the two or more products from the plurality of available products;

means for transmitting, to the customer, an offer to buy an undisclosed one of the two or more products for the single sale price; and

means for selling the undisclosed one of the two or more products to the customer for the single sales price and to reveal the identity of the undisclosed one of the two or more products to the customer.

49. (CURRENTLY AMENDED) A method, comprising:

receiving a first product description from a first customer, the first product description being descriptive of a product from a plurality of available products;

receiving a second product description from a second customer, the second product description being descriptive of the product from the plurality of available products;

determining, by ~~a controller~~an electronic retail system controller, and based on the first product description, a first sales price for the product from the plurality of available products;

determining, by the ~~controller~~electronic retail system controller, and based on the second product description, a second sales price for the product from the plurality of available products;

providing the first sales price to the first customer;

providing the second sales price to the second customer; and

selling the product from the plurality of available products by at least one of:

(i) selling the product from the plurality of available products to the first customer for the first sales price; and

(ii) selling the product from the plurality of available products to the second customer for the second sales price,

wherein determining the first sales price comprises generating a measure of flexibility based on the first product description and determining the first sales price based on the generated measure of flexibility.

50. (Previously presented) The method of claim 49, wherein the first and second sales prices are the same.

51 – 63. (CANCELLED)